

Appl. No. 10/810,163 - Reply to Office Action of December 13, 2007

REMARKS/ARGUMENTS

Claims 21,22,24,25,27-29 and 31 remain in this application.

Claims 1-20,23,24,26,30 and 32 have been cancelled.

Claims 29 and 31 have been withdrawn.

In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 1-20, 23,24 and 26 in a divisional application.

In response to the Office Action of **December 13, 2007**, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Regarding the Examiner's having set a priority date of March 26, 2004 for the instant Application, Applicants submit herewith a copy of a subsequent Declaration of Dr. David S. Young, which was previously submitted in S.N. 11/079,969. This Declaration was probative in the '969 application in obviating the holding of a March 26,2004 priority date, and is submitted in the instant application. It is respectfully submitted that the instant Declaration of Dr. Young is effective to obviate the Examiner's previous position, and it is thus respectfully requested that said position be withdrawn.

Rejections under 35 USC 112

Claims 21-22,24,25,27 and 28 stand rejected under 35 USC 112, 1st paragraph. As amended, it is respectfully submitted

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that the claims appear to obviate the previous rejections/objections since they are composition of matter claims, the intended use of which is not part of the instantly presented claims.

Claims 29 and 31, previously withdrawn, have been currently amended to include the limitations to a colon tumor in claims 30 and 32, which have now been cancelled.

It is respectfully submitted that claims 21,22,24,25,27 and 28 are now in allowable condition.

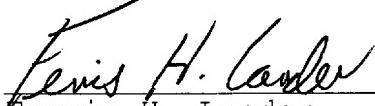
It is further submitted that claims 29 and 31, as amended, are now commensurate in scope with, and enabled by the instant disclosure.

Rejoinder of claims 29 and 31 is respectfully requested.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested.

Respectfully submitted,


Ferris H. Lander
Registration No. 43,377

McHale & Slavin, P.A.
2855 PGA Boulevard
Palm Beach Gardens, FL 33410
(561) 625-6575 (Voice)
(561) 625-6572 (Fax)